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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 MARK C. CHRISTENSON,
8 Plaintiff,

9 v.

10 DORIAN NELSON,
11 Defendant.

NO. 2:19-CV-0333-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE

12 BEFORE THE COURT is the Clerk's Notice of Deficient Filing. ECF No.
13 2. The Court has reviewed the record and files herein, and is fully informed. For
14 the reasons discussed below, this action is dismissed without prejudice.

15 On October 22, 2019, Plaintiff Mark C. Christenson, proceeding *pro se*, filed
16 what is construed as an incomprehensible civil complaint. ECF No. 1. The same
17 day, the Clerk of Court sent Plaintiff a Notice of Deficient Filing warning that:

18 FURTHER NOTICE IS GIVEN that failure to pay the prescribed
19 Civil Complaint filing fee, OR in lieu of payment of the filing fee, to
20 file the appropriate Application to Proceed In Forma Pauperis (IFP)
by November 5, 2019, may subject this case to dismissal by the Court
without further notice or opportunity for hearing.

1 ECF No. 2. No filing fee or in forma pauperis application has been filed.

2 Parties filing actions in the United States District Court are required to pay
3 filing fees. 28 U.S.C. § 1914(a). An action may proceed without the immediate
4 payment of a filing fee only upon granting of in forma pauperis status. *See* 28
5 U.S.C. § 1915. Failure to pay the statutory filing fee will result in dismissal of
6 these actions without prejudice. *See Olivares v. Marshall*, 59 F.3d 109, 112 (9th
7 Cir. 1995) (district court has authority to dismiss without prejudice prisoner
8 complaint for failure to pay partial filing fee); *In re Perroton*, 958 F.2d 889, 890
9 (9th Cir. 1992) (affirming dismissal of appeal of pro se litigant for failure to pay
10 required filing fees).


11 **ACCORDINGLY, IT IS HEREBY ORDERED:**

12 This action is **DISMISSED** without prejudice for failing to pay the filing fee
13 or filing a properly completed Application to Proceed In Forma Pauperis pursuant
14 to 28 U.S.C. §§ 1914(a) and 1915(a).

15 The District Court Executive is directed to enter this Order, enter judgment
16 accordingly, furnish a copy to Plaintiff, and **CLOSE** the file.

17 **DATED** November 7, 2019.




THOMAS O. RICE
Chief United States District Judge